

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

JUDITH T. SKACH,

Plaintiff,

vs.

WESTERN UNITED INSURANCE CO., d.b.a.  
AAA NEVADA INSURANCE CO.,

Defendant.

3:12-cv-00464-RCJ-VPC

**ORDER**

This is an insurance action arising out of an automobile accident. The Court recently granted summary judgment to Defendant as to the non-contractual claims, but the breach of contract claim remains for trial. Defendant asked the Court to award it attorney's fees for its defense of the non-contractual claims. The Court denied that motion as premature. Plaintiff has now asked the Court to strike Defendant's Bill of Costs (ECF No. 99) as premature. The Court will grant the motion for that reason. The Court states no opinion as to particular items included in the Bill of Costs. Finally, the Court will not sever the remaining claims from the adjudicated claims for the purposes of either fees or costs. As the Court has explained, until the entire case is adjudicated, the Court cannot properly assess which party, if either, should be awarded fees or costs.

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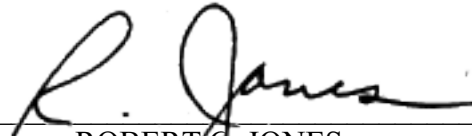
**CONCLUSION**

IT IS HEREBY ORDERED that the Motion to Strike (ECF No. 102) is GRANTED, and the Bill of Costs (ECF No. 99) is STRICKEN.

IT IS FURTHER ORDERED that the Motion to Sever (ECF No. 105) is DENIED.

IT IS SO ORDERED.

Dated this 30th day of December, 2014.

  
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ROBERT C. JONES  
United States District Judge